

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-0056-PWS-E TCEQ ID: RN101194082 CASE NO.: 32213
RESPONDENT NAME: Rosebud-Lott Independent School District

Page 1 of 2

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input checked="" type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Rosebud-Lott Independent School District, 1789 Highway 77, Falls County</p> <p>TYPE OF OPERATION: Public water supply</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on May 14, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST:</p> <p style="margin-left: 20px;">TCEQ Attorney/SEP Coordinator: None</p> <p style="margin-left: 20px;">TCEQ Enforcement Coordinator: Ms. Amy Martin, Enforcement Division, Enforcement Team 2, MC 169, (512) 239-2540; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896</p> <p style="margin-left: 20px;">Respondent: Mr. Howell E. Wright, Superintendent, Rosebud-Lott Independent School District, P.O. Box 638, Rosebud, Texas 76570</p> <p style="margin-left: 20px;">Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: October 25, 2006</p> <p>Date of NOE Relating to this Case: November 9, 2006 (NOE)</p> <p>Background Facts: This was a routine investigation. Four violations were documented.</p> <p>WATER</p> <p>1) Failed to provide all public water system operating records at the time of the investigation [30 TEX. ADMIN. CODE § 290.46(f)(2)].</p> <p>2) Failed to develop and maintain a plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(l)].</p> <p>3) Failed to collect routine bacteriological monitoring samples at active service connections that are representative of water throughout the distribution system [30 TEX. ADMIN. CODE § 290.109(c)(1)(A)].</p> <p>4) Failed to secure a purchase water contract [30 TEX. ADMIN. CODE § 290.45(f)].</p>	<p>Total Assessed: \$460</p> <p>Total Deferred: \$92 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$368</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order:</p> <ul style="list-style-type: none"> i. Begin maintaining all required water system operating records; ii. Create and begin maintaining a plant operations manual; iii. Begin collecting routine bacteriological monitoring samples at active service connections that are representative of water throughout the distribution system; and iv. Secure a purchase water contract. <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.</p>



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 17, 2006

TCEQ

DATES	Assigned	13-Nov-2006	Screening	29-Nov-2006	EPA Due	
	PCW	10-Jan-2006				

RESPONDENT/FACILITY INFORMATION

Respondent	Rosebud-Lott Independent School District		
Reg. Ent. Ref. No.	RN101194082		
Facility/Site Region	9-Waco	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	32213	No. of Violations	4	
Docket No.	2007-0056-PWS-E	Order Type	1660	
Media Program(s)	Public Water Supply	Enf. Coordinator	Amy Martin	
Multi-Media		EC's Team	EnforcementTeam 2	
Admin. Penalty \$	Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$460

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 0% Enhancement Subtotals 2, 3, & 7 \$0

Notes No adjustment to the penalty is recommended.

Culpability No 0% Enhancement Subtotal 4 \$0

Notes The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction Subtotal 5 \$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes The Respondent does not meet the good faith criteria.

Total EB Amounts \$31 0% Enhancement* Subtotal 6 \$0
Approx. Cost of Compliance \$900 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal \$460

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment \$0

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount \$460

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty \$460

DEFERRAL

20%

Reduction

Adjustment

-\$92

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

\$368

Screening Date 29-Nov-2006

Docket No. 2007-0056-PWS-E

PCW

Respondent Rosebud-Lott Independent School District

Policy Revision 2 (September 2002)

Case ID No. 32213

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101194082

Media [Statute] Public Water Supply

Enf. Coordinator Amy Martin

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

No adjustment to the penalty is recommended.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date 29-Nov-2006

Docket No. 2007-0056-PWS-E

PCW

Respondent Rosebud-Lott Independent School District

Policy Revision 2 (September 2002)

Case ID No. 32213

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101194082

Media [Statute] Public Water Supply

Enf. Coordinator Amy Martin

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 290.46(f)(2)

Violation Description

Failed to provide all public water system operating records at the time of the investigation. Specifically, the facility did not have one of 21 requested records available for review at the time of investigation. The missing record was the annual pressure tank inspection form.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

Less than 5% of the rule requirement was not met.

Adjustment \$990

\$10

Violation Events

Number of Violation Events 1

35 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$10

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3

Violation Final Penalty Total \$10

This violation Final Assessed Penalty (adjusted for limits) \$10

Economic Benefit Worksheet

Respondent Rosebud-Lott Independent School District
Case ID No. 32213
Reg. Ent. Reference No. RN101194082
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$100	25-Oct-2006	30-Jun-2007	0.7	\$3	n/a	\$3
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to maintain records. The Date Required is the date of the investigation. The Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$100	TOTAL	\$3
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Screening Date 29-Nov-2006

Docket No. 2007-0056-PWS-E

PCW

Respondent Rosebud-Lott Independent School District

Policy Revision 2 (September 2002)

Case ID No. 32213

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101194082

Media [Statute] Public Water Supply

Enf. Coordinator Amy Martin

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code § 290.42(l)

Violation Description

Failed to develop and maintain a plant operations manual for operator review and reference.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1

35 Number of violation days

mark only one
with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$7

Violation Final Penalty Total \$100

This violation Final Assessed Penalty (adjusted for limits) \$100

Economic Benefit Worksheet

Respondent: Rosebud-Lott Independent School District
 Case ID No. 32213
 Reg. Ent. Reference No. RN101194082
 Media: Public Water Supply
 Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
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Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$200	25-Oct-2006	30-Jun-2007	0.7	\$7	n/a	\$7

Notes for DELAYED costs

Estimated cost to develop and maintain a plant operations manual. The Date Required is the investigation date. The Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$7

Screening Date 29-Nov-2006

Docket No. 2007-0056-PWS-E

PCW

Respondent Rosebud-Lott Independent School District

Policy Revision 2 (September 2002)

Case ID No. 32213

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101194082

Media [Statute] Public Water Supply

Enf. Coordinator Amy Martin

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 290.109(c)(1)(A)

Violation Description

Failed to collect routine bacteriological monitoring samples at active service connections that are representative of water throughout the distribution system. Specifically, the system was only collecting samples from one location (teachers work area).

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 25%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to collect bacteriological samples from locations throughout the water distribution system could allow significant levels of contaminants to go undetected.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one
with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended based on the date of investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3

Violation Final Penalty Total \$250

This violation Final Assessed Penalty (adjusted for limits) \$250

Economic Benefit Worksheet

Respondent: Rosebud-Lott Independent School District
Case ID No.: 32213
Reg. Ent. Reference No.: RN101194082
Media: Public Water Supply
Violation No.: 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$100	25-Oct-2006	30-Jun-2007	0.7	\$3	n/a	\$3

Notes for DELAYED costs

Estimated cost to begin collecting water samples from multiple locations. The Date Required is the date of the investigation. The Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$100	TOTAL	\$3
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Screening Date 29-Nov-2006

Docket No. 2007-0056-PWS-E

PCW

Respondent Rosebud-Lott Independent School District

Policy Revision 2 (September 2002)

Case ID No. 32213

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101194082

Media [Statute] Public Water Supply

Enf. Coordinator Amy Martin

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 290.45(f)

Violation Description Failed to secure a purchase water contract. Specifically, the facility has not secured a purchase water contract with Bell Milam Falls Water Service Corporation.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1

35 Number of violation days

mark only one
with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$17

Violation Final Penalty Total \$100

This violation Final Assessed Penalty (adjusted for limits) \$100

Economic Benefit Worksheet

Respondent: Rosebud-Lott Independent School District
Case ID No.: 32213
Reg. Ent. Reference No.: RN101194082
Media: Public Water Supply
Violation No.: 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$500	25-Oct-2003	30-Jun-2007	0.7	\$17	n/a	\$17

Notes for DELAYED costs

Estimated cost to secure a purchase water contract. The Date Required is the date of the investigation. The Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$17

Compliance History

Customer/Respondent/Owner-Operator:	CN600639934	Rosebud-Lott Independent School District	Classification: AVERAGE BY DEFAULT	Rating: 3.01
Regulated Entity:	RN101194082	ROSEBUD LOTT ISD	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY		REGISTRATION	0730025
	PETROLEUM STORAGE TANK		REGISTRATION	33858
	WATER LICENSING		LICENSE	0730025
Location:	1789 Hwy 77, Falls County		Rating Date: September 01 06 Repeat Violator: NO	
TCEQ Region:	REGION 09 - WACO			
Date Compliance History Prepared:	January 12, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	January 10, 2002 to January 10, 2007			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Amy Martin		Phone:	512-239-2540

Site Compliance History Components

- | | |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- | | |
|------------------------|---|
| A. | Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government. |
| | N/A |
| B. | Any criminal convictions of the state of Texas and the federal government. |
| | N/A |
| C. | Chronic excessive emissions events. |
| | N/A |
| D. | The approval dates of investigations. (CCEDS Inv. Track. No.) |
| | N/A 1 11/08/2006 (516199) |
| E. | Written notices of violations (NOV). (CCEDS Inv. Track. No.) |
| | N/A |
| F. | Environmental audits. |
| | N/A |
| G. | Type of environmental management systems (EMSs). |
| | N/A |
| H. | Voluntary on-site compliance assessment dates. |
| | N/A |
| I. | Participation in a voluntary pollution reduction program. |
| | N/A |
| J. | Early compliance. |
| | N/A |
| Sites Outside of Texas | |
| | N/A |

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods used to collect and analyze data. It includes a detailed description of the sampling process and the statistical techniques employed to interpret the results.

3. The third part of the document presents the findings of the study. It shows that there is a significant correlation between the variables being studied, which supports the hypothesis that was tested.

4. The fourth part of the document discusses the implications of the findings for future research and practice. It suggests that the results of this study could be used to inform policy decisions and to guide the development of new programs and initiatives.

5. The fifth part of the document provides a conclusion and a summary of the key points. It reiterates the importance of the study and the need for further research in this area.

6. The sixth part of the document includes a list of references to the sources used in the study. It also includes a list of appendices that provide additional information about the study and its results.

7. The seventh part of the document is a list of figures and tables that are included in the study. These figures and tables provide visual representations of the data and help to illustrate the findings of the study.

8. The eighth part of the document is a list of footnotes that provide additional information about the study and its results. These footnotes are included to provide more detail about the methods used and the data analyzed.

9. The ninth part of the document is a list of acknowledgments that thank the individuals and organizations that provided support and assistance during the study.

10. The tenth part of the document is a list of appendices that provide additional information about the study and its results. These appendices are included to provide more detail about the methods used and the data analyzed.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ROSEBUD-LOTT INDEPENDENT
SCHOOL DISTRICT
RN101194082**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-0056-PWS-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Rosebud-Lott Independent School District ("Rosebud-Lott ISD") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and Rosebud-Lott ISD, appear before the Commission and together stipulate that:

1. Rosebud-Lott ISD owns and operates a public water supply at 1789 Highway 77 in Falls County, Texas (the "Facility") that has approximately 44 service connections and serves at least 25 people per day for at least 60 days per year.
2. The Commission and Rosebud-Lott ISD agree that the Commission has jurisdiction to enter this Agreed Order, and that Rosebud-Lott ISD is subject to the Commission's jurisdiction.
3. Rosebud-Lott ISD received notice of the violations alleged in Section II ("Allegations") on or about November 14, 2006.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Rosebud-Lott ISD of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
5. An administrative penalty in the amount of Four Hundred Sixty Dollars (\$460) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Rosebud-Lott ISD has paid Three Hundred Sixty-Eight Dollars (\$368) of the administrative penalty and Ninety-Two Dollars (\$92) is deferred contingent upon Rosebud-Lott ISD's timely and satisfactory

compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Rosebud-Lott ISD fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Rosebud-Lott ISD to pay all or part of the deferred penalty.

6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
7. The Executive Director of the TCEQ and Rosebud-Lott ISD have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
8. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Rosebud-Lott ISD has not complied with one or more of the terms or conditions in this Agreed Order.
9. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
10. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, Rosebud-Lott ISD is alleged to have:

1. Failed to provide all public water system operating records at the time of the investigation, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2), as documented during an investigation conducted on October 25, 2006.
2. Failed to develop and maintain a plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(l), as documented during an investigation conducted on October 25, 2006.
3. Failed to collect routine bacteriological monitoring samples at active service connections that are representative of water throughout the distribution system, in violation of 30 TEX. ADMIN. CODE § 290.109(c)(1)(A), as documented during an investigation conducted on October 25, 2006.
4. Failed to secure a purchase water contract, in violation of 30 TEX. ADMIN. CODE § 290.45(f), as documented during an investigation conducted on October 25, 2006.

III. DENIALS

Rosebud-Lott ISD generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Rosebud-Lott ISD pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and Rosebud-Lott ISD's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Rosebud-Lott Independent School District, Docket No. 2007-0056-PWS-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. It is further ordered that Rosebud-Lott ISD shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Begin maintaining all required water system operating records, in accordance with 30 TEX. ADMIN. CODE § 290.46;
 - ii. Create and begin maintaining a plant operations manual, in accordance with 30 TEX. ADMIN. CODE § 290.42;
 - iii. Begin collecting routine bacteriological monitoring samples at active service connections that are representative of water throughout the distribution system, in accordance with 30 TEX. ADMIN. CODE § 290.109; and
 - iv. Secure a purchase water contract, in accordance with 30 TEX. ADMIN. CODE § 290.45.
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Public Water Supply Section, Manager
Waco Regional Office
Texas Commission on Environmental Quality
6801 Sanger Avenue, Suite 2500
Waco, Texas 76710-7826

3. The provisions of this Agreed Order shall apply to and be binding upon Rosebud-Lott ISD. Rosebud-Lott ISD is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the operations referenced in this Agreed Order.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Rosebud-Lott ISD shall be made in writing to the Executive Director. Extensions are not effective until Rosebud-Lott ISD receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Agreed Order, issued by the Commission, shall not be admissible against Rosebud-Lott ISD in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Rosebud-Lott ISD, or three days after the date on which the Commission mails notice of the Order to Rosebud-Lott ISD, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

ORIGINAL ARTICLES

1. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Individual
2. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Individual

3. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Individual
4. The Effect of the Diet on the Blood Sugar in the Normal Individual and in the Diabetic Individual
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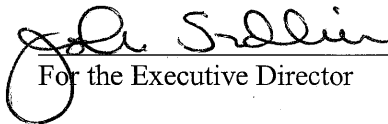
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

7/9/07


Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

MARCH 1, 2007

Date

HOWELL E. WRIGHT

Name (Printed or typed)
Authorized Representative of
Rosebud-Lott Independent School District

SUPERINTENDENT

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

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